

Document: Emergency Rule, **Register Page Number:** 29 IR 830

Source: December 1, 2005, Indiana Register, Volume 29, Number 3

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TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #05-308(E)

DIGEST

Temporarily amends 312 IAC 9, concerning the taking of raccoons at several state parks, with awareness that the regulation of wild animals in Indiana is the responsibility of the department of natural resources, and the director is responsible for controlling wild animals in a state park if the wild animals pose an unusual hazard to the health or safety of one or more individuals, and the director finds that the density of the raccoon population has risen at the listed state parks to a level that poses a health risk to persons present on those properties, health risks posed as a result of diseases that may be carried by the raccoons, including rabies and raccoon round worms, and because the density has contributed to raccoons exhibiting behavior that is characterized by aggressiveness and a lack of fear toward humans, a behavior that poses a hazard to humans and particularly to small children, and therefore, in order to protect individuals from the potential for adverse health or safety consequences, the property manager of any state park listed may authorize a person or persons to take any raccoon from that state park. Effective October 17, 2005.

SECTION 1. (a) Notwithstanding 312 IAC 9-2-11, 312 IAC 8-2, and any other provision governing taking a wild animal within a state park, an individual qualified under this SECTION may take any raccoon from or within the state parks listed in subsection (b).

(b) The state parks to which this document applies are as follows:

- (1) Brown County State Park.**
- (2) Chain O'Lakes State Park.**
- (3) Charlestown State Park.**
- (4) Clifty Falls State Park.**
- (5) Falls of the Ohio State Park.**
- (6) Fort Harrison State Park.**
- (7) Harmonie State Park.**
- (8) Indiana Dunes State Park.**
- (9) Lincoln State Park.**
- (10) McCormick's Creek State Park.**
- (11) Mounds State Park.**
- (12) Ouabache State Park.**
- (13) Pokagon State Park.**
- (14) Potato Creek State Park.**
- (15) Prophetstown State Park.**
- (16) Shades State Park.**
- (17) Shakamak State Park.**
- (18) Spring Mill State Park.**
- (19) Summit Lake State Park.**
- (20) Tippecanoe River State Park.**
- (21) Turkey Run State Park.**
- (22) Versailles State Park.**
- (23) Whitewater State Park.**

(c) In order to qualify under subsection (a), a person must satisfy both of the following requirements:

- (1) Possess written authorization from the property manager of the referenced state park to act under this document.**
- (2) Possess a nuisance wild animal control permit issued under 312 IAC 9-10-11 if a raccoon is taken other than from November 15, 2005, through January 31, 2006.**

Filed with Secretary of State: October 17, 2005, 3:00 p.m.